

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Plaintiff.

v.

Defendant.

No.

ORDER SETTING CASE MANAGEMENT CONFERENCE

[Cases Excluded Under Civil L.R. 16-1(c)]

IT IS HEREBY ORDERED that, pursuant to Fed. R. Civ. P. 16(b) and Civil L.R. 16-1(g), a Case Management Conference will be held in this case before the Honorable Bernard Zimmerman on Monday _____ at 4:00 p.m. in Courtroom G, 15th floor, 450 Golden Gate Avenue, San Francisco, CA 94102. This conference shall be attended by lead trial counsel for parties who are represented. All parties who are proceeding without counsel must appear personally.

IT IS FURTHER ORDERED that, within 30 days of filing the complaint,
PLAINTIFF shall serve and file either a written consent to Magistrate Judge
Zimmerman's jurisdiction or a written request for reassignment to a district judge.

IT IS FURTHER ORDERED that, within 45 days of filing the complaint, and in accordance with Civil L.R. 4-2, **PLAINTIFF** shall complete service of the complaint on at least one defendant and file either a waiver of service or a

1 certification of service of process. Failure to file the waiver of service or a
2 certification of service will result in issuance by the Court of an Order to Show
3 Cause why the complaint should not be dismissed for failure of prosecution.

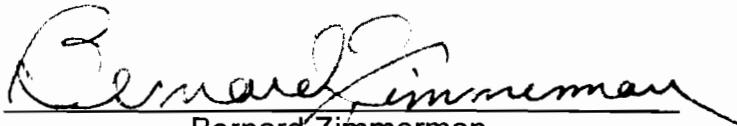
4 IT IS FURTHER ORDERED that no later than 10 days before the Case
5 Management Conference, each party shall file a Case Management Statement
6 containing at least the following information:

- 7 (1) A brief description of the events underlying the lawsuit;
- 8 (2) A statement that all defendants (or third party-defendants, if any) have
9 been served, or information about when the party plans to serve all remaining
10 defendants;
- 11 (3) What discovery the party intends to take, including, but not limited to,
12 the identity of all persons the party intends to depose.

13 In addition, the parties must be prepared to discuss knowledgeably with the
14 Court at the Case Management Conference any of the other subjects listed in Fed.
15 R. Civ. P. 16 or in Civil L.R. 16-8.

16 IT IS FURTHER ORDERED that PLAINTIFF shall serve a copy of this Order
17 and the attached Standing Orders on all parties to this action and on any parties
18 subsequently joined, in accordance with Fed. R. Civ. P. 4 and 5 and Civil L.R. 16-
19 2(a). Following service, PLAINTIFF shall file a certificate of service with the Clerk
20 of this Court.

21 Failure to comply with this Order or the Local Rules of this Court may result
22 in sanctions, including the dismissal of the complaint or the entry of a default. See
23 Fed. R. Civ. P. 16(f), Civil L.R. 1-4.

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26 Bernard Zimmerman
27 United States Magistrate Judge
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APPENDIX A - JOINT CASE MANAGEMENT STATEMENT AND PROPOSED ORDERUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

| | |
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| Plaintiff(s), v. Defendant(s). | CASE NO. JOINT CASE MANAGEMENT STATEMENT AND PROPOSED ORDER |
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The parties to the above-entitled action jointly submit this Case Management Statement and Proposed Order and request the Court to adopt it as its Case Management Order in this case.

DESCRIPTION OF THE CASE

1. A brief description of the events underlying the action:
2. The principal factual issues which the parties dispute:
3. The principal legal issues which the parties dispute:
4. The other factual issues [e.g. service of process, personal jurisdiction, subject matter jurisdiction or venue] which remain unresolved for the reason stated below and how the parties propose to resolve those issues:
5. The parties which have not been served and the reasons:
6. The additional parties which the below-specified parties intend to join and the intended time frame for such joinder:
7. The following parties consent to assignment of this case to a United States Magistrate Judge for [court or jury] trial:

ALTERNATIVE DISPUTE RESOLUTION

8. [Please indicate the appropriate response(s).]

The case was automatically assigned to Nonbinding Arbitration at filing and will be ready for the hearing by (date) _____.

The parties have filed a Stipulation and Proposed Order Selecting an ADR process (specify process): _____.

The parties filed a Notice of Need for ADR Phone Conference and the phone conference was held on or is scheduled for _____.

The parties have not filed a Stipulation and Proposed Order Selecting an ADR process and the ADR process that the parties jointly request [or a party separately requests] is _____.

9. Please indicate any other information regarding ADR process or deadline.

DISCLOSURES

10. The parties certify that they have made the following disclosures [list disclosures of persons, documents, damage computations and insurance agreements]:

DISCOVERY

11. The parties agree to the following discovery plan [Describe the plan e.g., any limitation on the number, duration or subject matter for various kinds of discovery; discovery from experts; deadlines for completing discovery]:

TRIAL SCHEDULE

12. The parties request a trial date as follows:

13. The parties expect that the trial will last for the following number of days:

Dated: _____
[Typed name and signature of counsel.]

Dated: _____
[Typed name and signature of counsel.]

CASE MANAGEMENT ORDER

The Case Management Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order. In addition the Court orders:

[The Court may wish to make additional orders, such as:
a. Referral of the parties to court or private ADR process;
b. Schedule a further Case Management Conference;
c. Schedule the time and content of supplemental disclosures;
d. Specially set motions;
e. Impose limitations on disclosure or discovery;
f. Set time for disclosure of identity, background and opinions of experts;
g. Set deadlines for completing fact and expert discovery;
h. Set time for parties to meet and confer regarding pretrial submissions;
i. Set deadline for hearing motions directed to the merits of the case;
j. Set deadline for submission of pretrial material;
k. Set date and time for pretrial conference;
l. Set a date and time for trial.]

Dated: _____
UNITED STATES DISTRICT/MAGISTRATE JUDGE